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6 *Attorney for Defendants*
LAS VEGAS DEVELOPMENT GROUP, LLC
7 **AND AIRMOTIVE INVESTMENTS, LLC**

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 ***

11 THE BANK OF NEW YORK MELLON, FKA)
THE BANK OF NEW YORK AS)
12 SUCCESSOR IN INTEREST TO JP)
MORGAN CHASE BANK NA AS TRUSTEE)
13 FOR STRUCTURED ASSET MORTGAGE)
INVESTMENTS II INC. BEAR STEARNS)
14 ALT-A TRUST 2005-9, MORTGAGE PASS-)
THROUGH CERTIFICATES, SERIES 2005-9,)

Case No. 2:16-cv-00478-JCM-GWF

15)
Plaintiffs,)

16 vs.)

17 LAS VEGAS DEVELOPMENT GROUP, LLC,)
18 a Nevada limited-liability company; ROYAL)
HIGHLANDS STREET AND LANDSCAPE)
19 MAINTENANCE CORPORATION, a Nevada)
non-profit corporation; ALESSI & KOENIG,)
20 LLC, a Nevada limited-liability company; and)
AIRMOTIVE INVESTMENTS, LLC, a Nevada)
21 limited-liability company,)

22 Defendants.)
23)

24 **STIPULATION AND ORDER TO EXTEND TIME TO**
RESPOND TO MOTION TO ALTER OR AMEND JUDGMENT UNDER FRCP 59(e)
25 **(Second Request)**

26 COMES NOW Plaintiff, THE BANK OF NEW YORK MELLON, FKA THE BANK OF
27 NEW YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK NA AS
28 TRUSTEE FOR STRUCTURED ASSET MORTGAGE INVESTMENTS II INC. BEAR

1 STEARNS ALT-A TRUST 2005-9, MORTGAGE PASS-THROUGH CERTIFICATES,
2 SERIES 2005-9, and Defendants, AIRMOTIVE INVESTMENTS, LLC and LAS VEGAS
3 DEVELOPMENT GROUP, LLC, by and through their undersigned counsel, and hereby stipulate
4 and agree as follows:

- 5 1. On March 5, 2019, Plaintiff filed a Motion to Alter or Amend Judgment Under
6 FRCP 59(e) herein [ECF #87]. Responses to said Motion were originally due on
7 March 19, 2019.
- 8 2. On March 19, 2019, the parties submitted a stipulation to extend time to respond
9 to the subject motion until April 2, 2019. [ECF #88]. Said stipulation was
10 approved on March 21, 2019. [ECF #90].
- 11 3. The prior extension was based in part upon the fact that Defendants' counsel was
12 required to serve on jury duty. Subsequent to being released from jury duty,
13 counsel had a backlog of work obligations. To date, counsel has been unable to
14 complete the response to the subject motion.
- 15 4. Based upon the foregoing, Defendants have requested and shall be granted an
16 additional extension of time until April 12, 2019, in which to respond to the
17 Plaintiff's Motion to Alter or Amend Judgment Under FRCP 59(e).
- 18 5. This Stipulation is made in good faith and not for purpose of delay.

19 Dated this 2nd day of April, 2019.

20 ROGER P. CROTEAU &
21 ASSOCIATES, LTD.

SNELL & WILMER L.L.P.

22
23 /s/ Timothy E. Rhoda
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27 *Las Vegas Development Group, LLC*
and Airmotive Investments, LLC

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2 STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO MOTION TO ALTER
3 OR AMEND JUDGMENT UNDER FRCP 59(E) (Second Request)
4 2:16-cv-00478-JCM-GWF

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6 **IT IS SO ORDERED.**

7 By: *James C. Mahan*
8 UNITED STATES DISTRICT JUDGE

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10 Dated: April 3, 2019
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 2019, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO MOTION TO ALTER OR AMEND JUDGMENT UNDER FRCP 59(E) (Second Request)** to the following parties:

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